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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW MEXICO**

PULTE HOMES OF NEW MEXICO, INC., a  
Michigan corporation; PULTE  
DEVELOPMENT NEW MEXICO, INC., a  
Michigan corporation,

Plaintiff,

v.

CENTRAL MUTUAL INSURANCE  
COMPANY, an Ohio corporation; HDI  
GLOBAL SPECIALTY SE fka  
INTERNATIONAL INSURANCE OF  
HANNOVER, a New York corporation;  
SENTINEL INSURANCE COMPANY, LTD,  
a Connecticut corporation; GEMINI  
INSURANCE COMPANY, a Delaware  
corporation; COLORADO CASUALTY  
COMPANY, a New Hampshire corporation;  
THE CINCINNATI INSURANCE  
COMPANY, an Ohio corporation; THE  
CINCINNATI CASUALTY COMPANY, an  
Ohio corporation; DONEGAL MUTUAL  
INSURANCE COMPANY fka MOUNTAIN  
STATES MUTUAL CASUALTY  
COMPANY, a Pennsylvania corporation;  
FEDERATED MUTUAL INSURANCE  
COMPANY, a Minnesota corporation;  
HARTFORD CASUALTY INSURANCE  
COMPANY, a New Jersey corporation;  
CLARENDON NATIONAL INSURANCE  
COMPANY, as successor in interest by way of  
merger with Sussex Insurance Company fka as

Case No. 1:21-cv-00996-JB-JHR

The Hon. James O. Browning

**VOLUNTARY DISMISSAL OF  
DEFENDANT SOUTHERN INSURANCE  
COMPANY WITH PREJUDICE**

Companion Property and Casualty Insurance Company, a Texas corporation; ACE AMERICAN INSURANCE COMPANY, a Pennsylvania corporation; FIRST MERCURY INSURANCE COMPANY, a Delaware corporation; CENTURY SURETY COMPANY, an Ohio corporation; UNITED SPECIALTY INSURANCE COMPANY, a Delaware corporation; OHIO CASUALTY INSURANCE COMPANY, a New Hampshire corporation; AMERICAN STATES INSURANCE COMPANY, an Indiana corporation; NAVIGATORS INSURANCE COMPANY, a New York corporation; NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, a Pennsylvania corporation; STARR INDEMNITY & LIABILITY COMPANY, a Texas corporation; WESTFIELD INSURANCE COMPANY, an Ohio corporation; AMERICAN HALLMARK INSURANCE COMPANY OF TEXAS, a Texas corporation; SOUTHERN INSURANCE COMPANY, a Texas corporation; NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, an Illinois corporation; WEST AMERICAN INSURANCE COMPANY, an Indiana corporation; STARR SURPLUS LINES INSURANCE COMPANY, a Texas corporation; ENDURANCE AMERICAN INSURANCE COMPANY, a Delaware corporation; OLD REPUBLIC INSURANCE COMPANY, a Pennsylvania corporation; KNIGHT SPECIALTY INSURANCE COMPANY, a Delaware corporation,

Defendants.

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**VOLUNTARY DISMISSAL OF DEFENDANT SOUTHERN INSURANCE COMPANY  
WITH PREJUDICE**

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Pursuant to F.R.C.P. 41(a), Plaintiffs PULTE HOMES OF NEW MEXICO, INC. and PULTE DEVELOPMENT NEW MEXICO, INC. ("Plaintiffs"), through counsel, hereby dismiss

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their claims against Defendant SOUTHERN INSURANCE COMPANY, with prejudice, each party to bear its own fees and costs.

DATED: December 8, 2022

PAYNE & FEARS LLP

By: /s/ Sarah J. Odia  
Scott S. Thomas, Bar No. 21-275  
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*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 8<sup>th</sup> day of December, 2022, a true and correct copy of **VOLUNTARY DISMISSAL OF DEFENDANT SOUTHERN INSURANCE COMPANY WITH PREJUDICE** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By /s/ Jennifer Stephens  
Jennifer R. Stephens, an Employee of  
PAYNE & FEARS LLP